



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

**Department of
Fish and Game**

DIVISION OF HABITAT
Southeast Region Office

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**FISH HABITAT PERMIT FH14-I-0040
(Replaces FG88-I(S)-19)**

**ISSUED: June 20, 2014
DOES NOT EXPIRE**

Chris Wallace
Environmental Affairs Manager
Hecla Greens Creek Mining Company
P.O. Box 32199
Juneau, AK 99803-2199

RE: Greens Creek Mine Tailings Disposal Facility Expansion
Tributary Creek (Stream No. 112-65-10230-2007)
Sec 26, T 43 S, R 65 E, CRM (Juneau A3)
Location: 58.1139 N, 134.7468 W (WGS84)

Dear Mr. Wallace:

Pursuant to AS 16.05.871(b), the Alaska Department of Fish and Game (ADF&G) Division of Habitat reviewed Hecla Greens Creek Mining Company's (Hecla) proposal to expand their dry stack tailings disposal facility (TDF) at the Greens Creek Mine on Admiralty Island that has been in operation for about 25 years. Hecla estimates the TDF expansion will extend the mine life about 10 years.

Project Description

You will expand the TDF by 18 acres south into Tributary Creek as described in the 2013 U.S. Forest Service Greens Creek Mine Tailings Disposal Facility Expansion Final Environmental Impact Statement and Record of Decision. The headwaters of Tributary Creek were filled during earlier development of the TDF under Fish Habitat Permit FG88-I(S)-19.

Anadromous Fish Act

Tributary Creek has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). Stream No. 112-65-10230-2007 provides habitat for coho salmon, pink salmon, Dolly Varden char, and cutthroat trout. Hecla will mitigate adverse impacts to fishery resources downstream by maintaining the fish pass in Greens Creek, authorized under Fish Habitat Permit FH11-I-0123.

In accordance with AS 16.05.871(d), project approval is hereby given subject to the project description above and the terms of this permit.

You are responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved project. For any activity that significantly deviates from the approved plan, you shall notify the Division of Habitat and obtain written approval in the form of a permit amendment before beginning the activity. Any action that increases the project's overall scope or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be deemed a significant deviation from the approved plan. The final determination as to the significance of any deviation and the need for a permit amendment is the responsibility of the Division of Habitat. Therefore, it is recommended you consult the Division of Habitat immediately when a deviation from the approved plan is being considered.

For the purpose of inspecting or monitoring compliance with any condition of this permit, you shall give an authorized representative of the state free and unobstructed access, at safe and reasonable times, to the permit site. You shall furnish whatever assistance and information as the authorized representative reasonably requires for monitoring and inspection purposes.

This letter constitutes a permit issued under the authority of AS 16.05.871 and must be retained on site during project activities. Please be advised that this determination applies only to activities regulated by the Division of Habitat; other agencies also may have jurisdiction under their respective authorities. This determination does not relieve you of your responsibility to secure other permits; state, federal, or local. You are still required to comply with all other applicable laws.

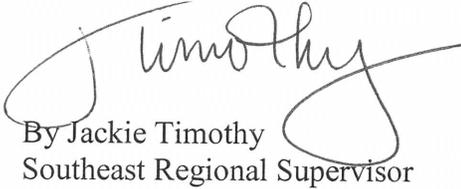
In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. The department reserves the right to require mitigation measures to correct disruption to fish and game created by the project and which was a direct result of the failure to comply with this permit or any applicable law.

You shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions, or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or your performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330-630.

Any questions or concerns about this permit may be directed to Habitat Biologist Kate Kanouse at (907) 465-4290 or emailed to kate.kanouse@alaska.gov.

Sincerely,
Cora Campbell
Commissioner



By Jackie Timothy
Southeast Regional Supervisor

Email cc:

Al Ott, ADF&G Habitat, Fairbanks
All, ADF&G Habitat, Juneau
Dan Teske, ADF&G SF, Juneau
Dave Harris, ADF&G CF, Juneau
Phil Mooney, ADF&G WC, Sitka
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